



Practitioner's Docket No. 57471/03-454

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Nally et al.  
Application No.: 10/628,864  
Confirmation No.: 3817  
Filed: 07/28/2003  
For: Lighted headgear with motion activated switch  
Group No.: 3765  
Examiner: Unknown

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 12, 2003

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_-\_\_\_\_.

  
Signature

LUZ C. LOPEZ  
(type or print name of person certifying)

(Transmittal of Information Disclosure Statement  
Within Three Months of Filing or Before Mailing of First Office Action—page 1 of 3)

## **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Timing of Statement (with any required certifications)
2. Preliminary Statements
3. Forms PTO-1449 (Modified)
4. Comments on References
5. Identification of Person(s) Making This Information Disclosure Statement

### **Section 1. Timing of Statement (with any required certifications)**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

### **Section 2. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

### **Section 3. Form PTO-1449 (Modified)**

Attached.

### **Section 4. Comments on References**

None.

**Section 5. Identification of Person Making This Information Disclosure Statement**

The person making this certification is:

- a. the practitioner who signs below on the basis of the information in the practitioner's file.

No additional fee is believed to be due. However, if any fee is made payable by the filing of this paper, please consider this our authorization to charge the deposit account of the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,

11/12/03  
**DATE**

  
**SIGNATURE OF PRACTITIONER**

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233202.1



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<b>FORM PTO-1449 (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Attorney Docket No.: 57471/03-454	
	Applicant(s): Nally et al.	
	Title: Lighted headgear with motion activated switch	
	Serial No.: 10/628,864	Filing Date: 07/28/2003
	Group: 3765	Examiner: Unknown

### U.S. PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Subclass
	AA	5,327,587	07/12/1994	Hurwitz	2	422
	AB	5,353,008	10/04/1994	Eikenberry et al.	340	479
	AC	5,680,718	10/28/1997	Ratcliffe et al.	40	329
	AD	5,803,574	09/08/1998	Szaniszlo	362	32
	AE	5,810,467	09/22/1998	Hurwitz	362	106
	AF	5,845,987	12/08/1998	Painter	362	206
	AG	5,931,559	08/03/1999	Pfaeffle	362	106
	AH	5,952,913	09/14/1999	Cioletti et al.	340	309.15
	AI	6,007,213	12/28/1999	Baumgartner	362	106
	AJ	6,213,616	04/10/2001	Chien	362	84
	AK	6,244,721	06/12/2001	Rodriguez et al.	362	106
	AL	6,270,834	08/07/2001	Burrows	427	66
	AM	6,271,631	08/07/2001	Burrows	315	169.3
	AN	6,283,604	09/04/2001	Liao	362	84
	AO	6,292,952	09/25/2001	Watters et al.	2	411



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Examiner Initials		Document No.	Date	Name	Class	Subclass
	AP	6,309,764	10/30/2001	Burrows	428	690
	AQ	6,325,521	12/04/2001	Gregg et al.	362	106

#### FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name (Inventors)	Class	<u>Translation</u> Yes / No
	AR					

#### OTHER ART

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AS	

EXAMINER	DATE CONSIDERED

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance. Include copy of this form with next communication to applicant.